

Substitute Senate Bill No. 236

Senate, March 25, 1998. The Committee on Environment reported through SEN. DAILY, 33rd DIST., Chairman of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING MINOR AND TECHNICAL REVISIONS TO PROGRAMS OF THE DEPARTMENT OF AGRICULTURE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22-6q of the general
2 statutes is repealed and the following is
3 substituted in lieu thereof:

4 (a) There is established the Connecticut
5 Farmers' Market/Senior Nutrition Program which
6 shall be provided for from funds available to the
7 commissioner and from other sources as such funds
8 may become available. The program shall supply
9 Connecticut-grown fresh produce to senior
10 participants through the distribution of vouchers
11 that are redeemable only at designated Connecticut
12 farmers' markets. For purposes of this section, a
13 "senior participant" is defined as a person who is
14 sixty years of age or older and is currently
15 residing in elderly housing, or is a participant
16 of a registered congregate meal site, or has been
17 identified by a municipal elderly agent as being
18 at nutritional risk. The program is designed to
19 provide both a supplemental source of fresh
20 produce for the dietary needs of seniors who are
21 judged to be at nutritional risk and to stimulate

22 an increased demand for Connecticut-grown produce
23 at Connecticut farmers' markets.

24 (b) The program shall be administered by the
25 Commissioner of Agriculture who shall maintain all
26 conditions for its operations.

27 [(c) The commissioner shall adopt regulations
28 not later than ninety days after July 1, 1994, in
29 accordance with chapter 54, to implement the
30 provisions of this section.]

31 Sec. 2. Section 22-48a of the general
32 statutes is repealed and the following is
33 substituted in lieu thereof:

34 [(a)] Each person, firm or corporation
35 operating an egg-grading plant in Connecticut,
36 which engages in receiving eggs from Connecticut
37 producers for processing, distribution or sale,
38 shall register with the Commissioner of
39 Agriculture in a manner and on forms prescribed
40 and furnished by the commissioner. Such
41 registration shall be renewed annually during the
42 month of October. Such registered person, firm or
43 corporation shall not receive eggs for processing
44 without a permit from the commissioner. Each
45 person, firm or corporation so registered shall
46 keep on file a list of all producers from which
47 eggs are received.

48 [(b) The Commissioner of Agriculture shall
49 inspect regularly such egg-grading plants for the
50 purposes of insuring the accuracy of grading for
51 weight and quality of eggs received from
52 producers.

53 (c) The commissioner shall promulgate such
54 regulations as he deems necessary to carry out the
55 provisions of this section and shall have the
56 authority to suspend or revoke a permit for
57 violation of such regulations.]

58 Sec. 3. Section 22-327 of the general
59 statutes is repealed and the following is
60 substituted in lieu thereof:

61 As used in this chapter:

62 (1) "Animal" means any brute creature,
63 including, but not limited to, dogs, cats,
64 monkeys, guinea pigs, hamsters, rabbits, birds and
65 reptiles;

66 (2) "Chief [Canine] ANIMAL Control Officer",
67 Assistant Chief [Canine] ANIMAL Control Officer"
68 and ["canine control officer"] "ANIMAL CONTROL
69 OFFICER" mean, respectively, the Chief

70 [Connecticut Canine] STATE ANIMAL Control Officer,
71 the Assistant Chief [Connecticut Canine] STATE
72 ANIMAL Control Officer and a [Connecticut canine]
73 STATE ANIMAL control officer appointed under
74 section 22-328, AS AMENDED BY THIS ACT;

75 (3) "Commercial kennel" means a kennel
76 maintained for boarding or grooming dogs or cats,
77 and includes, but is not limited to, any
78 veterinary hospital which boards or grooms dogs or
79 cats for nonmedical purposes;

80 (4) "Commissioner" means the Commissioner of
81 Agriculture;

82 (5) "Grooming facility" means any place,
83 other than a commercial kennel, which is
84 maintained as a business where dogs are groomed;

85 (6) "Keeper" means any person, other than the
86 owner, harboring or having in his possession any
87 dog;

88 (7) "Kennel" means one pack or collection of
89 dogs which are kept under one ownership at a
90 single location and are bred for show, sport or
91 sale;

92 (8) "Municipal animal control officer" means
93 any such officer appointed under the provisions of
94 section 22-331;

95 (9) "Pet shop" means any place at which
96 animals not born and raised on the premises are
97 kept for the purpose of sale to the public;

98 (10) "Poultry" means all domestic fowl and
99 any pheasants or other game birds securely
100 confined and lawfully owned and possessed by any
101 person under the provisions of section 26-40;

102 (11) "Regional animal control officer" and
103 "assistant regional animal control officer" means
104 a regional Connecticut animal control officer and
105 an assistant regional Connecticut animal control
106 officer appointed under the provisions of section
107 22-331a;

108 (12) "Training facility" means any place,
109 other than a commercial kennel or grooming
110 facility, which is maintained as a business where
111 dogs are trained.

112 Sec. 4. Subsection (b) of section 22-328 of
113 the general statutes is repealed and the following
114 is substituted in lieu thereof:

115 (b) The commissioner shall appoint, as
116 provided by chapter 67: (1) A Chief [Connecticut
117 Canine] STATE ANIMAL Control Officer; (2) an

118 Assistant Chief [Connecticut Canine] STATE ANIMAL
119 Control Officer, who shall perform all the duties
120 of the Chief [Connecticut Canine] STATE ANIMAL
121 Control Officer in such officer's absence or
122 inability, or at such officer's direction; and (3)
123 not more than twelve [Connecticut canine] STATE
124 ANIMAL control officers and as many regional
125 [Connecticut] animal control officers and
126 assistants as may be deemed necessary to insure,
127 subject to the commissioner's direction, the
128 enforcement of the provisions of this chapter and
129 chapters 436 and 436a and the enforcement of
130 regulations adopted by the commissioner. The
131 expenses incurred in the administration of this
132 chapter and chapters 436 and 436a shall be paid
133 from dog funds in the custody of the State
134 Treasurer which have been received from the
135 several municipalities and from the commissioner
136 FOR THE SAME FISCAL YEAR AS THE EXPENSES ARE
137 INCURRED.

138 Sec. 5. Section 22-329 of the general
139 statutes is repealed and the following is
140 substituted in lieu thereof:

141 The commissioner, the Chief [Canine] ANIMAL
142 Control Officer, any [canine] ANIMAL control
143 officer, any municipal animal control officer or
144 any law enforcement officer may interfere to
145 prevent any act of cruelty upon any dog or other
146 animal, and any person who interferes with or
147 obstructs or resists the commissioner or any such
148 officer in the discharge of such duty shall be
149 fined not more than fifty dollars or imprisoned
150 not more than thirty days.

151 Sec. 6. Subsection (a) of section 22-329a of
152 the general statutes is repealed and the following
153 is substituted in lieu thereof:

154 (a) The Chief [Canine] ANIMAL Control
155 Officer, any [canine] ANIMAL control officer or
156 any municipal or regional animal control officer
157 may lawfully take charge of any animal found
158 neglected or cruelly treated, in violation of
159 sections 22-366, 22-415 and 53-247 to 53-252,
160 inclusive, and shall thereupon proceed as provided
161 in subsection (b) of this section, except that if,
162 in the opinion of a licensed veterinarian, such
163 animal is so injured or diseased that it should be
164 destroyed immediately, such officer may humanely

165 destroy or cause such animal to be humanely
166 destroyed.

167 Sec. 7. Section 22-330 of the general
168 statutes is repealed and the following is
169 substituted in lieu thereof:

170 The commissioner, the Chief [Canine] ANIMAL
171 Control Officer and any [canine] ANIMAL control
172 officer in any part of the state, any regional
173 animal control officer in the territory to which
174 he is assigned and any municipal animal control
175 officer in the municipality for which he has been
176 appointed may arrest any person and may issue a
177 written complaint and summons in furtherance
178 thereof for any violation of any law relating to
179 dogs or to any domestic animal in the same manner
180 sheriffs, police officers or constables may
181 exercise in their respective jurisdictions.

182 Sec. 8. Subsection (a) of section 22-332 of
183 the general statutes is repealed and the following
184 is substituted in lieu thereof:

185 (a) The Chief [Canine] ANIMAL Control
186 Officer, any [canine] ANIMAL control officer or
187 any municipal animal control officer shall be
188 responsible for the enforcement of this chapter
189 and shall make diligent search and inquiry for any
190 violation of any of its provisions. Any such
191 officer may take into custody (1) any dog found
192 roaming in violation of the provisions of section
193 22-364, (2) any dog not having a tag or plate on a
194 collar about its neck or on a harness on its body
195 as provided by law or which is not confined or
196 controlled in accordance with the provisions of
197 any order or regulation relating to rabies issued
198 by the commissioner in accordance with the
199 provisions of this chapter, or (3) any dog found
200 injured on any highway, neglected, abandoned or
201 cruelly treated. The officer shall impound such
202 dog at the pound serving the town where the dog is
203 taken unless, in the opinion of a licensed
204 veterinarian, the dog is so injured or diseased
205 that it should be destroyed immediately, in which
206 case the municipal animal control officer of such
207 town may cause the dog to be mercifully killed by
208 a licensed veterinarian or disposed of as the
209 State Veterinarian may direct. The municipal
210 animal control officer shall immediately notify
211 the owner or keeper of any dog so taken, if known,
212 of its impoundment. Such officer shall immediately

213 notify the owner or keeper of any other animal
214 which is taken into custody, if such owner or
215 keeper is known. If the owner or keeper of any
216 such dog or other animal is unknown, the officer
217 shall immediately tag or employ such other
218 suitable means of identification of the dog or
219 other animal as may be approved by the Chief
220 [Canine] ANIMAL Control Officer and shall promptly
221 cause a description of such dog or other animal to
222 be published once in the lost and found column of
223 a newspaper having a circulation in such town.

224 Sec. 9. Subsection (b) of section 22-332a of
225 the general statutes is repealed and the following
226 is substituted in lieu thereof:

227 (b) No [canine] ANIMAL control officer or
228 municipal animal control officer shall sell, give
229 or transfer any unclaimed, impounded dog to any
230 animal dealer, whether or not such dealer is
231 licensed by the United States Department of
232 Agriculture.

233 Sec. 10. Subsection (a) of section 22-332d of
234 the general statutes is repealed and the following
235 is substituted in lieu thereof:

236 (a) Any animal control officer for a
237 municipality which has adopted an ordinance under
238 subsection (b) of section 22-339d may take into
239 custody any cat found to be damaging property
240 other than property of its owner or keeper or
241 causing an unsanitary, dangerous or unreasonably
242 offensive condition unless such cat can be
243 identified as under the care of its owner or a
244 registered keeper of feral cats. The officer shall
245 impound such cat at the pound serving the town
246 where the cat is taken unless, in the opinion of a
247 licensed veterinarian, the cat is so injured or
248 diseased that it should be destroyed immediately,
249 in which case the municipal animal control officer
250 of such town may cause the cat to be mercifully
251 killed by a licensed veterinarian or disposed of
252 as the State Veterinarian may direct. The
253 municipal animal control officer shall immediately
254 notify the owner or keeper of any cat so taken, if
255 known, of its impoundment. If the owner or keeper
256 of any such cat is unknown, the officer shall
257 immediately tag or employ such other suitable
258 means of identification of the cat as may be
259 approved by the Chief [Canine] ANIMAL Control
260 Officer and shall promptly cause a description of

261 such cat to be published once in the lost and
262 found column of a newspaper having a circulation
263 in such town.

264 Sec. 11. Section 22-333 of the general
265 statutes is repealed and the following is
266 substituted in lieu thereof:

267 Any dog captured or impounded under the
268 provisions of this chapter shall be redeemed by
269 the owner or keeper thereof, or the agent of such
270 owner or keeper, upon proper identification, and
271 presentation to the municipal animal control
272 officer of a license and tag for such dog, and
273 upon the payment by such owner or keeper or his
274 agent of (1) the redemption fee established by the
275 municipality, which shall not exceed fifteen
276 dollars, and (2) the cost of advertising incurred
277 under the provisions of section 22-332, AS AMENDED
278 BY THIS ACT; provided no dog seized for doing
279 damage under the provisions of section 22-355
280 shall be released except upon written order of the
281 commissioner, the Chief [Canine] ANIMAL Control
282 Officer or [a canine] AN ANIMAL control officer.
283 When the owner or keeper of any such impounded dog
284 fails to redeem such dog within twenty-four hours
285 after receiving notification to do so, or, where
286 the owner was unknown, within twenty-four hours
287 after notification was effected by means of
288 publication in a newspaper, such owner or keeper
289 shall pay, in addition to such redemption fee and
290 the cost of advertising, the amount determined by
291 the municipality to be the full cost of detention
292 and care of such impounded dog. In addition, any
293 owner or keeper of any such impounded dog who
294 fails to redeem such dog within one hundred and
295 twenty hours after receiving notification to do so
296 shall have committed an infraction. The
297 legislative body of the municipality shall set any
298 fees imposed by the municipality under this
299 section.

300 Sec. 12. Section 22-339c of the general
301 statutes is repealed and the following is
302 substituted in lieu thereof:

303 (a) A certificate of rabies vaccination shall
304 be (1) a Form 50 approved by the National
305 Association of Public Health Veterinarians, (2)
306 any form approved by the State Veterinarian or (3)
307 any form that has the following information
308 regarding the vaccinated animal: (A) The name and

309 address of its owner; (B) a description of the
310 animal which specifies its species, breed, age,
311 color or markings and sex; (C) the date of the
312 vaccination, the duration of the immunity provided
313 by the vaccination, the producer of the vaccine
314 and the vaccine serial number; (D) the rabies tag
315 number and (E) the signature and license number of
316 the veterinarian administering the vaccination.
317 Such certificate shall be the official proof of
318 rabies vaccination submitted to a town clerk in
319 accordance with the provisions of section 22-338
320 or 22-339a.

321 (b) The owner or keeper of a dog or cat shall
322 keep a certificate, or copy thereof, stating that
323 such dog or cat has been vaccinated against rabies
324 and shall make such certificate or copy available
325 to any [canine] ANIMAL control officer, regional
326 animal control officer or municipal animal control
327 officer of any municipality for inspection.

328 (c) An antirabies clinic, upon request of any
329 municipal animal control officer or [canine]
330 ANIMAL control officer, shall submit to such
331 officer a copy of any such certificate issued.
332 Such copy shall be used by the officer to search
333 for unlicensed dogs in accordance with the
334 provisions of section 22-349.

335 Sec. 13. Subsection (b) of section 22-342 of
336 the general statutes is repealed and the following
337 is substituted in lieu thereof:

338 (b) The commissioner, the Chief [Canine]
339 ANIMAL Control Officer or any [canine] ANIMAL
340 control officer may at any time inspect any kennel
341 or cause it to be inspected by a registered
342 veterinarian appointed by the commissioner. If, in
343 the judgment of the commissioner, such kennel is
344 not being maintained in a sanitary and humane
345 manner or if the commissioner finds that
346 communicable or infectious disease or other
347 unsatisfactory conditions exist in the kennel, he
348 may issue such orders as he deems necessary for
349 the correction of such conditions and may
350 quarantine the premises and animals. If the owner
351 or keeper of such kennel fails to comply with such
352 orders, the commissioner shall revoke or suspend
353 the kennel license of such owner or keeper.

354 Sec. 14. Subsection (b) of section 22-344c of
355 the general statutes is repealed and the following
356 is substituted in lieu thereof:

357 (b) The Commissioner of Agriculture, the
358 Chief [Canine] ANIMAL Control Officer or any
359 [canine] ANIMAL control officer may at any time
360 inspect or cause to be inspected any location,
361 required by a town to be licensed, keeping ten or
362 more unneutered or unspayed dogs capable of
363 breeding, by a registered veterinarian appointed
364 by the commissioner and if, in the judgment of the
365 commissioner, such location is not being
366 maintained in a sanitary and humane manner or if
367 he finds that communicable or infectious disease
368 or other unsatisfactory conditions exist, he may
369 issue such orders as he deems necessary for the
370 correction of such conditions and may quarantine
371 the premises and animals. If the owner or keeper
372 of such location fails to comply with such orders,
373 the commissioner may recommend the revocation or
374 suspension of such license to the town which
375 issued such license.

376 Sec. 15. Section 22-358 of the general
377 statutes is repealed and the following is
378 substituted in lieu thereof:

379 (a) Any owner or the agent of any owner of
380 any domestic animal or poultry, or the Chief
381 [Canine] ANIMAL Control Officer or any [canine]
382 ANIMAL control officer or any municipal animal
383 control officer, regional animal control officer
384 or any police officer or state policeman, may kill
385 any dog which he observes pursuing or worrying any
386 such domestic animal or poultry.

387 (b) Any person who is bitten, or who shows
388 visible evidence of attack by a dog, cat or other
389 animal when such person is not upon the premises
390 of the owner or keeper of such dog, cat or other
391 animal may kill such dog, cat or other animal
392 during such attack. Such person shall make
393 complaint concerning the circumstances of the
394 attack to the Chief [Canine] ANIMAL Control
395 Officer, any [canine] ANIMAL control officer or
396 the municipal animal control officer or regional
397 animal control officer of the town wherein such
398 dog, cat or other animal is owned or kept. Any
399 such officer to whom such complaint is made shall
400 immediately make an investigation of such
401 complaint.

402 (c) If such officer finds that the
403 complainant has been bitten or attacked by such
404 dog, cat or other animal when the complainant was

405 not upon the premises of the owner or keeper of
406 such dog, cat or other animal the officer shall
407 quarantine such dog, cat or other animal in a
408 public pound or order the owner or keeper to
409 quarantine it in a veterinary hospital, kennel or
410 other building or enclosure approved by the
411 commissioner for such purpose. When any dog, cat
412 or other animal has bitten a person on the
413 premises of the owner or keeper of such dog, cat
414 or other animal, the Chief [Canine] ANIMAL Control
415 Officer, any [canine] ANIMAL control officer, any
416 municipal animal control officer or regional
417 animal control officer may quarantine such dog,
418 cat or other animal on the premises of the owner
419 or keeper of such dog, cat or other animal. The
420 commissioner, the Chief [Canine] ANIMAL Control
421 Officer, any [canine] ANIMAL control officer, any
422 municipal animal control officer or any regional
423 animal control officer may make any order
424 concerning the restraint or disposal of any biting
425 dog, cat or other animal as he deems necessary.
426 Notice of any such order shall be given to the
427 person bitten by such dog, cat or other animal
428 within twenty-four hours. The owner shall pay five
429 dollars per day for the board of any such dog, cat
430 or other animal while it is quarantined in a
431 public pound in addition to any other legal fees
432 that may be due. On the fourteenth day of such
433 quarantine the dog, cat or other animal shall be
434 examined by the commissioner or someone designated
435 by him to determine whether such quarantine shall
436 be continued or removed. Whenever any quarantine
437 is ordered under the provisions of this section,
438 notice thereof shall be given to the commissioner
439 and to the person bitten or attacked by such dog,
440 cat or other animal within twenty-four hours. Any
441 owner or keeper of such dog, cat or other animal
442 who fails to comply with such order shall be fined
443 not more than twenty-five dollars or imprisoned
444 not more than thirty days or both. If an owner or
445 keeper fails to comply with a quarantine or
446 restraining order made pursuant to this
447 subsection, the Chief [Canine] ANIMAL Control
448 Officer, any [canine] ANIMAL control officer, any
449 municipal animal control officer or regional
450 animal control officer may seize the dog, cat or
451 other animal to insure such compliance and the
452 owner or keeper shall be responsible for any

453 expenses resulting from such seizure. Any person
454 aggrieved by an order of any municipal animal
455 control officer, the Chief [Canine] ANIMAL Control
456 Officer, any [canine] ANIMAL control officer or
457 any regional animal control officer may request a
458 hearing before the commissioner within fourteen
459 days of the issuance of such order. After such
460 hearing, the commissioner may affirm, modify or
461 revoke such order as he deems proper. Any dog
462 owned by a police agency of the state or any of
463 its political subdivisions is exempt from the
464 provisions of this subsection when such dog is
465 under the direct supervision, care and control of
466 an assigned police officer, has been vaccinated
467 annually and is subject to routine veterinary
468 care.

469 (d) Any dog, while actually worrying or
470 pursuing deer, may be killed by the Chief [Canine]
471 ANIMAL Control Officer or [a canine] AN ANIMAL
472 control officer or by a conservation officer or
473 special conservation officer appointed by the
474 Commissioner of Environmental Protection, or by
475 any police officer or state policeman. The owner
476 or keeper of any dog found worrying or pursuing a
477 deer shall be fined not less than twenty-five
478 dollars nor more than two hundred dollars or
479 imprisoned not more than sixty days or both.

480 (e) Any person who kills any dog, cat or
481 other animal in accordance with the provisions of
482 this section shall not be held criminally or
483 civilly liable therefor.

484 (f) The owner of any dog, cat or other animal
485 which has bitten or attacked a person and has been
486 quarantined pursuant to subsection (c) of this
487 section may authorize the humane euthanization of
488 such dog, cat or other animal by a licensed
489 veterinarian at any time before the end of the
490 fourteenth day of such quarantine. Any such dog,
491 cat or other animal so euthanized before the end
492 of the fourteenth day of quarantine shall be
493 examined for rabies by the Connecticut Department
494 of Public Health virology laboratory or any other
495 laboratory authorized by the Department of Public
496 Health to perform rabies examinations. The
497 veterinarian performing the euthanasia shall be
498 responsible for ensuring that the head of the
499 euthanized animal is delivered by him or his
500 designated agent within forty-eight hours to an

501 appropriate laboratory designated by said
502 department for rabies examination.

503 Sec. 16. Section 22-359 of the general
504 statutes, as amended by section 2 of public act
505 97-187, is repealed and the following is
506 substituted in lieu thereof:

507 (a) The commissioner may make such orders for
508 the adequate confinement, control or destruction
509 of any dog, cat or other animal as he deems
510 necessary to prevent the spread of rabies and to
511 protect the public therefrom provided,
512 notwithstanding the provisions of section 22-358,
513 AS AMENDED BY THIS ACT, a local director of health
514 may order the destruction of any unowned animal
515 which is not currently vaccinated for rabies for
516 the purpose of rabies testing if the director
517 finds that the animal has bitten a person and the
518 health or life of such person may be threatened.
519 Any person who fails to comply with any order made
520 under the provisions of this section shall be
521 fined not more than one hundred dollars. The
522 commissioner, the Chief [Canine] ANIMAL Control
523 Officer, any [canine] ANIMAL control officer or
524 any municipal animal control officer may
525 quarantine any animal in a public pound,
526 veterinary hospital, kennel or other building or
527 enclosure approved by the commissioner for such
528 purpose, if in the determination of the
529 commissioner or such officer, such animal is rabid
530 or is suspected of being rabid, or has been bitten
531 by, or may have been bitten by, or has been in
532 contact with or exposed to, a rabid animal or an
533 animal suspected of carrying rabies or any wild
534 animal as defined in subsection (d) of this
535 section. The length of such quarantine period
536 shall be determined by the commissioner or the
537 State Veterinarian who shall take into account the
538 age, general health and vaccination history of the
539 animal as well as current accepted veterinary
540 practices. Any suspected or confirmed case of
541 rabies shall be reported to the commissioner by a
542 local director of health or board of health or any
543 veterinarian within twenty-four hours of receipt
544 of such information.

545 (b) Any dog, cat or other animal held in
546 quarantine which is clinically diagnosed as rabid
547 by two licensed veterinarians, at least one of
548 whom shall be engaged in private practice, shall

549 be humanely euthanized immediately without prior
550 notice to the owner or keeper of same. No person
551 who kills any animal in accordance with this
552 subsection shall be held criminally or civilly
553 liable therefor.

554 (c) Any animal, other than a dog, which is
555 quarantined pursuant to this section which is not
556 claimed by its owner or keeper within the period
557 of such quarantine may be sold by the municipal
558 animal control officer, if he finds that the
559 animal is in good health. The animal may only be
560 sold as a pet to a person who satisfies the
561 officer that the animal will be given a good home
562 and proper care. The municipal animal control
563 officer may retain possession of such animal for
564 such additional period of time as he may deem
565 advisable in order to place such animal. Any
566 animal, other than a dog, which is quarantined
567 pursuant to this section which is not claimed by
568 its owner or keeper within the period of such
569 quarantine and which is not sold by the municipal
570 animal control officer within five days of the
571 expiration of such quarantine may be disposed of
572 at the direction of the State Veterinarian. No
573 person who disposes of any animal in accordance
574 with this subsection shall be held criminally or
575 civilly liable therefor.

576 (d) The commissioner, any [canine or] animal
577 control officer or any state or municipal police
578 officer may immediately kill any wild animal which
579 is displaying behavior which causes the
580 commissioner or such officer to reasonably
581 conclude that such animal is rabid. For purposes
582 of this subsection, "wild animal" means any mammal
583 which is *ferae naturae* or wild by nature.

584 Sec. 17. Section 22-365 of the general
585 statutes is repealed and the following is
586 substituted in lieu thereof:

587 Any person who obstructs or attempts to
588 obstruct the commissioner, the Chief [Canine]
589 ANIMAL Control Officer, any [canine] ANIMAL
590 control officer or any municipal animal control
591 officer engaged in the discharge of any duty
592 imposed by this chapter shall be fined not more
593 than one hundred dollars or imprisoned not more
594 than three months or both.

595 Sec. 18. Section 22-367 of the general

596 statutes is repealed and the following is
597 substituted in lieu thereof:

598 Any person owning, keeping or harboring a dog
599 or cat or maintaining a kennel or commercial
600 kennel who violates any provision of this chapter
601 for the violation of which no other penalty is
602 provided, or any regulation legally made and
603 published for restraining or destroying dogs or
604 cats, shall be fined not less than twenty-five
605 dollars nor more than fifty dollars or imprisoned
606 not more than thirty days or both. No commercial
607 kennel shall board any dog or cat unless the owner
608 of the dog or cat presents a certificate of
609 vaccination as required by this chapter.
610 Constables, municipal animal control officers,
611 regional animal control officers, the Chief
612 [Canine] ANIMAL Control Officer, the [canine]
613 ANIMAL control officers, and all prosecuting
614 officers shall diligently inquire after, and
615 prosecute for, any violation of any provision of
616 this chapter, and the commissioner shall, upon the
617 complaint of any person that such officer is
618 dilatory or negligent in the performance of his
619 duties concerning the enforcement of any such
620 provision, take such action as he deems necessary
621 to secure such enforcement.

622 Sec. 19. Section 22-413 of the general
623 statutes is repealed and the following is
624 substituted in lieu thereof:

625 (a) Any equine presented for public auction
626 in this state shall have a health certificate
627 issued by a veterinarian licensed pursuant to the
628 provisions of chapter 384 and cosigned by the
629 State Veterinarian. Such examination shall be
630 obtained within ten days prior to the auction and
631 shall be made at the expense of the owner.

632 (b) Any equine presented for public auction
633 in this state shall have a certificate indicating
634 a negative reaction to a coggins test which shall
635 be obtained within sixty days prior to such
636 auction.

637 [(c) The Commissioner of Agriculture shall
638 adopt regulations pursuant to chapter 54 to carry
639 out the purposes of this section.]

640 [(d)] (c) Any person violating any provision
641 of this section shall be fined not less than one
642 hundred dollars nor more than five hundred dollars
643 for each violation.

644 Sec. 20. Section 22-197b of the general
645 statutes is repealed and the following is
646 substituted in lieu thereof:

647 (a) In addition to the requirements of
648 [sections 22-135 and] SECTION 22-197, each
649 container of milk or cream, yogurt, cream cheese,
650 cottage cheese, ricotta cheese, eggnog or sour
651 cream sold or offered for retail sale to
652 consumers, on and after January 1, 1982, shall be
653 clearly marked with the last date on which such
654 item may be sold or offered for sale. If such milk
655 or cream was pasteurized at a temperature of two
656 hundred twelve degrees Fahrenheit or less, the
657 last sale date shall not exceed twelve days from
658 the day on which such milk or cream was
659 pasteurized except as provided in subsection (b)
660 of this section.

661 (b) The Milk Regulation Board shall adopt
662 regulations in accordance with chapter 54
663 establishing a uniform method of displaying such
664 date on such containers and a procedure which the
665 Commissioner of Agriculture shall follow for
666 approval of a last sale date for milk or cream in
667 excess of twelve days for milk or cream
668 pasteurized at a temperature of two hundred twelve
669 degrees Fahrenheit or less. The regulations shall
670 include but not be limited to procedures for
671 verification of an extended last sale date and
672 review of the appropriateness of such date. The
673 commissioner may authorize an extended last sale
674 date for milk or cream upon request of a milk
675 processor.

676 Sec. 21. Sections 22-37a, 22-135, 22-144a and
677 22-452 of the general statutes are repealed.

678 Sec. 22. This act shall take effect July 1,
679 1998.

680 ENV COMMITTEE VOTE: YEA 22 NAY 0 JFS

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"THE FOLLOWING FISCAL IMPACT STATEMENT AND BILL ANALYSIS ARE PREPARED FOR THE BENEFIT OF MEMBERS OF THE GENERAL ASSEMBLY, SOLELY FOR PURPOSES OF INFORMATION, SUMMARIZATION AND EXPLANATION AND DO NOT REPRESENT THE INTENT OF THE GENERAL ASSEMBLY OR EITHER HOUSE THEREOF FOR ANY PURPOSE."

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FISCAL IMPACT STATEMENT - BILL NUMBER SSB 236

STATE IMPACT None, see explanation below

MUNICIPAL IMPACT None

STATE AGENCY(S) Department of Agriculture

EXPLANATION OF ESTIMATES:

STATE IMPACT: Passage of this bill will delete various obsolete statutes, regulation requirements, update the title of state animal control officers, and clarifies when expenses from the Dog Fund are to be paid and has no fiscal impact.

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OLR BILL ANALYSIS

SSB 236

AN ACT CONCERNING MINOR AND TECHNICAL REVISIONS TO PROGRAMS OF THE DEPARTMENT OF AGRICULTURE

SUMMARY: This bill eliminates the Department of Agriculture (DOA) commissioner's duty to adopt regulations concerning (1) the Connecticut Farmers' Market Senior Nutrition Program, (2) health certificates for horses presented for auction, and (3) egg-grading plants. It also eliminates the commissioner's duty to inspect egg-grading plants regularly and suspend or revoke a plant's permit for violating her regulations.

The bill changes the titles of the state's canine control officers to "animal control officers." Under

the bill, the chief canine control officer becomes the chief animal control officer; the assistant chief canine control officer becomes the assistant chief animal control officer, and Connecticut canine control officers become state animal control officers.

The state dog fund account contains a portion of dog-related fees (primarily dog license fees) collected by towns and other monies. The state treasurer must allocate the money in the dog fund account back to the towns to help pay for their expenses in administering the state's companion animal laws. The bill requires that a town's expenses be paid from funds received by the treasurer in the same fiscal year that the expenses are incurred.

The bill repeals obsolete statutes:

1. concerning contributions by feed producers and suppliers to the Connecticut Egg Council,
2. requiring the Milk Regulation Board to adopt regulations on labeling and capping milk and methods for testing the butterfat content of milk (PA 96-55 authorizes the board and the DOA to adopt the federal Pasteurized Milk Ordinance, which includes these items), and
3. establishing the Connecticut Equestrian Center Authority to promote equestrian events in Keney Park in Hartford. (SA 96-14 replaced the authority with the Connecticut Equestrian Center Corporation.)

EFFECTIVE DATE: July 1, 1998

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute
Yea 22 Nay 0